

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/6/2016

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

CHETAN KAPUR, et al.

Defendants.

Civil No. 11-cv-8094 (PAE)

**ORDER REGARDING PRODUCTION OF DOCUMENTS**

This cause coming to be heard on the Stipulation of Plaintiff U.S. Securities and Exchange Commission ("Commission") and Defendant Chetan Kapur ("Kapur") for an Order authorizing Google, Inc.'s ("Google") production of certain communications, and the Court having considered the Stipulated Order and having been otherwise fully advised in the premises, enters the Stipulated Order and HEREBY ORDERS THAT:

1. Chetan Kapur is the registered account holder and sole authorized user of Gmail accounts with the addresses ckapur3@gmail.com and ckapur10@gmail.com ("Google Accounts").

2. Chetan Kapur consents to Google delivering and divulging the contents of his respective Google Accounts as described further below. The court finds that this consent is sufficient pursuant to the Stored Communications Act 18 U.S.C. § 2701 et seq.

3. Within three (3) days of the entry of this Order, counsel for the Commission will email the users ckapur10@gmail.com and ckapur3@gmail.com a copy of this Order.

4. Within ten (10) days of the entry of this Order, Chetan Kapur shall send an email

message from the user's Google Accounts listed above to google-legal-support@google.com with this Order attached ("Consent Email"). The Consent Email shall state that the user consents to Google's disclosure of the communications dated **January 1, 2009 through and including January 1, 2016** associated with the Google Accounts which are in the Google Accounts, were recently deleted from the Google Accounts, or were preserved pursuant to the request(s) in this matter (the "Content Documents"). The Consent Email shall also state that the user consents to Google's disclosure of the headers of the Content Documents (the "Non-Content Header Documents").

5. The Consent Email shall further state that the user consents to Google delivering both the Content Documents and the Non-Content Header Documents to Chetan Kapur's Counsel, Eric Creitzman, Creizman LLC, 565 Fifth Avenue, Fl. 7, New York, New York 10017. Within ten (10) days of the receipt of the Consent Email, Google shall write or otherwise record the Content Documents and the Non-Content Header Documents on at least two separate compact discs (CD) or other fixed medium and mail via overnight courier to:

Eric Creitzman  
Creizman LLC  
565 Fifth Avenue, Fl. 7  
New York, New York 10017

6. Google's production, as outlined in paragraph 5, will complete Google's discovery obligation in this matter.

**SO ORDERED.**

1/6/2016



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PAUL A. ENGELMAYER  
UNITED STATES DISTRICT JUDGE